

### **REMARKS**

Claims 1-13 are now pending in the present application. Claim 13 has been amended. Applicant has carefully studied the outstanding Office Action. The present Response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of this application are respectfully requested. No new matter has been added to the specification by the amendments of claim 13. Applicants respectfully request reconsideration and withdrawal of the Examiner's rejection in view of the foregoing amendment and following remarks.

### **CLAIM REJECTIONS – 35 U.S.C. §§ 102, 103**

#### **Claims 13**

The Examiner rejected claims 13 under 35 U.S.C. § 102(b), as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Keller (U.S. Patent No. 4,869,911). The Examiner has stated that:

Keller [911] shows the product set forth in claim 13. Alternatively, it is not seen that the claim defines an unobvious new product over the product of Keller. The Examiner's position is that irrespective of the process by which the product is made, the claimed product is still a crisp, expanded, farinaceous food product having a moisture content from about 4 weight percent to about 8 weight percent and a water activity of from about 0.30 to about 0.45; and such a product is shown by Keller.

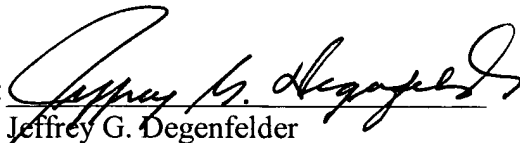
This rejection is respectfully traversed. Claims 13 has been amended to include additional limitations which distinguish it from the product disclosed in the Keller '911 patent. Support for the claim amendment is found at page 22, line 24 *et seq.* of the specification. The Keller '911 patent does not disclose a food product having a distinct cross-sectional pattern imparted therein that exhibits enhanced flavor characteristics as claimed in amended Claim 13. Therefore, Applicants respectfully request reconsideration and withdrawal of the Examiner's rejection based upon 35 U.S.C. §§ 102 and 103 with regard to the Keller '911 patent.

**CONCLUSION**

It is respectfully urged that the subject application is now in condition for allowance. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is cordially invited to contact Jeffrey G. Degenfelder at 972.367.2001.

The Commissioner is hereby authorized to charge any additional payments that may be due for additional claims to Deposit Account 50-0392.

Respectfully submitted,

By:   
Jeffrey G. Degenfelder  
Registration No. 44,647  
Attorney for Applicants

Date: January 12, 2005  
CARSTENS & CAHOON, LLP  
P.O. Box 802334  
Dallas, TX 75380  
(972) 367-2001 *Telephone*  
(972) 367-2002 *Facsimile*